

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	:	Chapter 11
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THE GREAT ATLANTIC & PACIFIC TEA	:	Case No. 10-24549 (RDD)
COMPANY, INC., <i>et al.</i> ,	:	
	:	Jointly Administered
Debtors.	:	
	:	

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**STIPULATED ORDER GRANTING LEAVE TO FILE THE GATOR ENTITIES'  
AND THE DEBTORS' SUPPLEMENTAL BRIEFS UNDER SEAL**

On October 19, 2011, the Court ordered the Debtors to produce copies of certain insurance policies to the Gator entities on an outside-counsel-eyes-only basis. On October 20, 2011, the Court ordered supplemental briefing on insurance-related issues in connection with the Objections of the Gator entities<sup>1</sup> to the Debtors' assumption of certain leases of real property owned by the Gator entities. This supplemental briefing will include discussions of, and the filing of, certain portions of the insurance policies at issue, which the Debtors have argued should be protected from public disclosure.

For purposes of the supplemental briefing ordered by the Court, the parties have agreed to the filing of the supplemental briefs and any relevant portions of the insurance policies under seal. Upon the parties' agreement, and after due deliberation and finding good cause to support the agreement, it is ORDERED that:

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<sup>1</sup> Objection of Gator Monument Partners, LLLP to Debtor's Motion Pursuant to Sections 363(b) and 365(a) of the Bankruptcy Code Authorizing the Debtors to Assume Certain Unexpired Leases and Related Subleases of Non-Residential Real Property (Docket No. 2073); Objection of Gator Garwood Partners, Ltd. to Debtor's Motion Pursuant to Sections 363(b) and 365(a) of the Bankruptcy Code Authorizing the Debtors to Assume Certain Unexpired Leases and Related Subleases of Non-Residential Real Property (Docket No. 2071).

1. The Gator entities' and the Debtors' supplemental briefing on insurance issues (including any attachments or related filings) shall be filed under seal if such filing includes any information about specific terms of the Debtors' insurance policies.

2. The party making any such filing under seal shall prepare and file a public version of the filing. The public version shall have redacted from it any information about specific terms of the Debtors' insurance policies.

3. This stipulated order is without prejudice to the parties' respective rights to seek modification of the protection afforded to the Debtors' insurance policies and related information.

Dated: White Plains, New York  
October 31, 2011

/s/Robert D. Drain  
Honorable Robert D. Drain  
United States Bankruptcy Judge

STIPULATED AND AGREED:

/s/ Andrew M. Genser  
Andrew M. Genser, Esq.  
Nathaniel Kritzer, Esq.  
**KIRKLAND & ELLIS LLP**  
601 Lexington Avenue  
New York, New York 10022  
212-446-4800 Telephone  
212-446-4900 Facsimile  
Andrew.genser@kirkland.com  
Nathaniel.kritzer@kirkland.com

Attorneys for Debtors

/s/ Douglas L. Lutz  
Douglas L. Lutz, Esq.  
Ronald E. Gold, Esq.  
Matthew C. Blickensderfer, Esq.  
**FROST BROWN TODD LLC**  
3300 Great American Tower  
301 East Fourth Street  
Cincinnati, OH 45202  
513-651-6800 Telephone  
513-651-6981 Facsimile  
dlutz@fbtlaw.com  
rgold@fbtlaw.com  
mblickensderfer@fbtlaw.com

Attorneys for Gator Monument Partners,  
LLLP, Gator Garwood Partners, Ltd. and  
Gator South Avenue Partners, Ltd.